

Practitioner's Docket No.: 892\_013

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Tateo UEGAKI

Ser. No.: 09/753,241

Group Art Unit: 3629

Filed: December 29, 2000

Examiner: Michael J. Fisher

Title: **PROCESS CONTROL SYSTEM AND COMPUTER READABLE STORAGE MEDIUM  
FOR STORING PROCESS CONTROL PROGRAM**

2005 APR 22 11:13:43

Mail Stop 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to Mail Stop 16, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on April 19, 2005.

*Melissa T. Kuczynski*  
Melissa T. Kuczynski

**REQUEST FOR REFUND  
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

Sir:

**Refund Request**

This is a request for a refund, with respect to the charge to Deposit Account 50-1446, shown on the statement dated April 2005, for the above-identified application.

- ☒ A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

**Fees Charged for Which Refund Is Requested**

Amount of Refund

- ☐ Filing fee
- ☐ Excess claims
  - ☐ Claims in Excess of 20
- ☐ Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e))
- and/or*
- ☐ Extension of term
  - ☐ first month
  - ☐ second month

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 2 -

- ☐ Petition fee
- ☒ Other One-Half of Extension of Time Fee for One Month

60.00**Explanation of Why Contested Charge is in Error**

On April 1, 2005, Applicant's undersigned representative filed an Amendment with Petition for Extension of Time (1 month). On the Patent Amendment Transmittal form (a copy of which is attached hereto for your reference), it clearly shows that Applicant claims small entity status, and as such, only one-half of the fee is due. Therefore, Applicant's representative's Deposit Account should only have been charged \$60.00, but the PTO charged the Deposit Account \$120.00 on April 15, 2005. As the \$120.00 charge is erroneous, I hereby request that \$60.00 be refunded to Applicant's undersigned representative's Deposit Account.

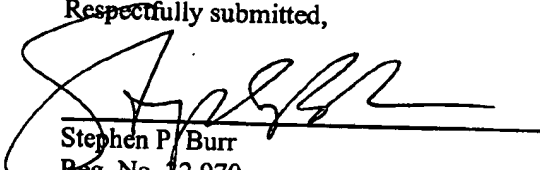
**MANNER OF REFUND**

Please make refund by

- ☒ crediting Deposit Account No. 50-1446.
- ☐ refunding payment.

April 19, 2005  
Date

Respectfully submitted,

  
Stephen P. Burr  
Reg. No. 32,970

SPB/mtk

BURR & BROWN  
P.O. Box 7068  
Syracuse, NY 13261-7068

Customer No.: 25191  
Telephone: (315) 233-8300  
Facsimile: (315) 233-8320



United States  
Patent and  
Trademark Office

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**Deposit Account Statement**

Requested Statement Month: April 2005  
Deposit Account Number: 501446  
Name: BURR & BROWN  
Attention: STEPHEN P BURR  
Address: P.O. BOX 7068  
City: SYRACUSE  
State: NY  
Zip: 13202  
Country: UNITED STATES OF AMERICA

| DATE  | SEQ | POSTING<br>REF TXT        | ATTORNEY<br>DOCKET<br>NBR | FEE<br>CODE | AMT      | BAL         |
|-------|-----|---------------------------|---------------------------|-------------|----------|-------------|
| 04/05 | 1   | 10231736                  | 791_100 CON               | 1251        | \$120.00 | \$21,088.00 |
| 04/05 | 2   | 10231736                  | 791_100 CON               | 1801        | \$790.00 | \$20,298.00 |
| 04/06 | 1   | 10122658                  | 789_053 DIV               | 1251        | \$120.00 | \$20,178.00 |
| 04/07 | 1   | 09928523                  | 782-181                   | 1801        | \$790.00 | \$19,388.00 |
| 04/07 | 2   | 09928523                  | 782-181                   | 1251        | \$120.00 | \$19,268.00 |
| 04/08 | 151 | 60636775                  | 911_023                   | 8021        | \$80.00  | \$19,188.00 |
| 04/11 | 1   | 10753201                  | 791_232                   | 1251        | \$120.00 | \$19,068.00 |
| 04/11 | 2   | 10753201                  | 791_232                   | 1801        | \$790.00 | \$18,278.00 |
| 04/12 | 221 | 78606126                  | 835_020                   | 7001        | \$975.00 | \$17,303.00 |
| 04/13 | 8   | 10724522                  | 830_009                   | 2253        | \$510.00 | \$16,793.00 |
| 04/13 | 13  | 10959420                  |                           | 9204        | -\$40.00 | \$16,833.00 |
| 04/14 | 16  | 11005095                  |                           | 1202        | \$50.00  | \$16,783.00 |
| 04/14 | 522 | PCT/US05/11930 851_017 WO |                           | 1703        | \$14.00  | \$16,769.00 |
| 04/14 | 524 | PCT/US05/11930 851_017 WO |                           | 8007        | \$20.00  | \$16,749.00 |
| 04/14 | 525 | PCT/US05/11930 851_017 WO |                           | 8021        | \$40.00  | \$16,709.00 |
| 04/15 | 5   | 09753241                  | 892_013                   | 1251        | \$120.00 | \$16,589.00 |
| 04/18 | 2   | 10770367                  | 811-041                   | 1201        | \$200.00 | \$16,389.00 |

|                  |                   |                     |                |
|------------------|-------------------|---------------------|----------------|
| START<br>BALANCE | SUM OF<br>CHARGES | SUM OF<br>REPLENISH | END<br>BALANCE |
| \$21,208.00      | \$4,859.00        | \$40.00             | \$16,389.00    |

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**PATENT AMENDMENT TRANSMITTAL**

(Provisions of 37 CFR 1.136 Apply)

|                    |   |                     |                   |
|--------------------|---|---------------------|-------------------|
| Application Number | 09/753,241  | Filing Date         | December 29, 2000 |
| Group Art Unit     | 3629  | Examiner Name       | Michael J. Fisher |
| Confirmation No.   | 8615  | Attorney Docket No. | 892_013           |
| Inventor(s)        | Tateo UEGAKI  |                     |                   |
| Invention:         | PROCESS CONTROL SYSTEM AND COMPUTER READABLE STORAGE MEDIUM FOR STORING PROCESS CONTROL PROGRAM |                     |                   |

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated as follows:

**CLAIMS AS AMENDED**

| (1)  | (2)<br>Claims Remaining<br>After Amendment | (3)   | (4)<br>Highest Number<br>Previously Paid | (5)<br>No. of Extra Claims<br>Present | (6)<br>Rate<br>(Large Entity) | (7)<br>Additional<br>Fee |
|--|--|-------|--|---------------------------------------|-------------------------------|--------------------------|
| TOTAL CLAIMS                                   | 9  | MINUS | 20                                       |                                       | \$50.00                       | \$00.00                  |
| INDEP. CLAIMS                                  | 2  | MINUS | 3  |                                       | \$200.00                      | \$00.00                  |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b> |  |       |  |                                       |                               | \$00.00                  |

**EXTENSION OF TERM**

☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

☒ This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and appropriate non-small entity fee are as follows:

|   |            |          |
|---|------------|----------|
| <input checked="" type="checkbox"/> One Month (37 CFR 1.17(a)(1)) ..... | \$120.00   | \$120.00 |
| <input type="checkbox"/> Two Month (37 CFR 1.17(a)(2)) .....            | \$450.00   |          |
| <input type="checkbox"/> Three Month (37 CFR 1.17(a)(3)) .....          | \$1,020.00 |          |

**TOTAL FEES DUE**

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount is reduced by one-half, and the resulting fee is:

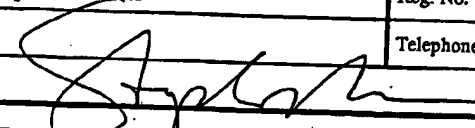
\$120.00

\$60.00

**FEE PAYMENT**

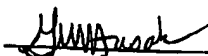
- ☐ No additional fee is required. ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☒ Charge Deposit Account 50-1446 in the amount of \$60.00. Enclosed is a duplicate copy of this sheet.
- ☒ Please charge any fees which may be required, or credit any overpayment, to Deposit Account 50-1446.

**Submitted By:**

|                   |   |           |                |              |                |
|-------------------|---|-----------|----------------|--------------|----------------|
| Name (Print Type) | Stephen P. Burr   | Reg. No.  | 32,970         | Customer No. | 025191         |
| Signature         |  | Telephone | (315) 233-8300 | Facsimile    | (315) 233-8320 |
|                   |   |           |                | Date         | April 1, 2005  |

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on April 1, 2005 at 703/872-9306.



Gina M. Husak

**COPY**

**PATENT AMENDMENT TRANSMITTAL**

(Provisions of 37 CFR 1.136 Apply)

|                    |   |                     |                   |
|--------------------|---|---------------------|-------------------|
| Application Number | 09/753,241  | Filing Date         | December 29, 2000 |
| Group Art Unit     | 3629  | Examiner Name       | Michael J. Fisher |
| Confirmation No.   | 8615  | Attorney Docket No. | 892_013           |
| Inventor(s)        | Tateo UEGAKI  |                     |                   |
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|--|--|-------|--|-------------------------------------|------------------------------|--------------------------|
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| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b> |  |       |  |                                     |                              | \$00.00                  |

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- ☐ Three Month (37 CFR 1.17(a)(3)) ..... \$1,020.00

**TOTAL FEES DUE**

\$120.00

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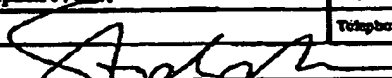
\$60.00

**FEES PAYMENT**

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- ☒ Charge Deposit Account 50-1446 in the amount of \$60.00. Enclosed is a duplicate copy of this sheet.
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04/15/2005 SMORELAN 00000004 501446 09753241

01 FC:1251

|                                      |   |              |                |
|--------------------------------------|---|--------------|----------------|
| Submitted By: <u>Stephen P. Burr</u> |   |              |                |
| Name (Printed)                       | Stephen P. Burr   | Reg. No.     | 32,970         |
| Telephone                            | (315) 233-8300  | Customer No. | 025191         |
| Signature                            |  | Facsimile    | (315) 233-8320 |
|                                      |   | Date         | April 1, 2005  |

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on April 1, 2005 at 701/872-9304.

  
 Gina M. Husak

PAGE 310 \* RCVD AT 04/15/2005 10:12:45 AM [Eastern Standard Time] \* SVR-USPTO-EXTR-12 \* DMS-1728388 \* CSD-3152338320 \* DURATION (min-ss):02:48

 Adjustment date: 06/10/2005 SDIRETA1  
 04/15/2005 SMORELAN 00000004 501446 09753241  
 01 FC:1251 120.00 CR

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01 FC:2251 60.00 DA